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..... THE UNITED STATES PATENT AND TRADEMARK OFFICE MAR 20 2007

RE:
APPLICATION No.10/645,490
Inventor: Paul A. REYNOLDS
Filed 08/22/2003
Title: Multi-segment Container

DECLARATION

I, Paul A. Reynolds, a Canadian citizen residing in Toronto, Ontario, Canada, hereby

Declare and state that:

I am the inventor named above;

My curricula Vitae was set forth previously in my earlier Declaration of Oct 2006.:

In regard to the subject Office Action of 12/26/2006, I have further reviewed the cited Goof (US 5,156,289) patent, and I wish to draw the Examiner's attention to certain discrepancies between the Goof structure as disclosed in '269, and the interpretation attributed thereto by the Examiner.

In the case of Goof (USS,156,289), his dental instrument container has "pairs of bulbs 28, 30" (col 3 lines 39-45) which appear to form the hinges, that are held together by way of separate pins or plugs (not numbered): see "*and an appropriate pin or plug can be inserted through each such pair of bulbs*" (Col 3, lines 44-45).

Figure 4 of Goof shows his 'bulbs' 28, 30 located at opposite ends of his lamellar part, and inset a short distance from the ends 24, 26, such that when two segments are brought edge to edge the perforated hinge portions 28, 30 can be aligned with the perforated hinge portions 36, 34, and the requisite pin or plug can be inserted. See Col 3, lines 39-45. Thus it can clearly be seen that the recesses 32 are provided simply to accommodate the bulbs

28, 30, thus enabling the alignment of the apertures of bulbs 28, 30 with the apertures of "bulb or beads 34, 36" so that the essential hinge pin or plug can be inserted, to enable pivoting or to serve as a closure. It is respectfully submitted that the Examiner is in error in attributing to the recesses 32 a role as a female hinge portion. The recesses 32 merely accommodate the bulbs 28, 30 so that the required hinge pins can be inserted in the aligned apertures of part 36 aligned to 28, and 30 aligned to 34.

It is to be noted that the structure illustrated in Figure 4 is essentially rigid and is not deformed in any way in order to bring the hinge elements 36, 28 and 30, 34 into alignment for the insertion of the two required hinge pins or plugs. There is clearly no hinging relationship between the bulbs 28, 30 and the recesses 32. The recesses 32 merely enable two adjoined segments to be fully opened, when the bulbs 28, 30 would otherwise interfere with the adjoining wall. Categorically, the recesses 32 play absolutely no role whatsoever as pivotal attachment means between two adjoined segments of Goof. To play such a role would require rotation of adjacent segments about the recess 32, whereas rotation takes place about the combined axes of bulbs 36, 30 and 30, 34, by way of two inserted pins or plugs. The presence of these pins or plugs of Goof as the necessary hinging medium clearly prevents the rapid attachment/disengagement between adjoined casing segments, as provided in my device.

The capability of the Goof segments to stand in a face-up condition is based entirely upon their great length. There is no provision of a stabilizing heel to enable such use. In the case of my subject disc holder, which is of very slender proportions, the provision of the

stabilizing heel means enables the use of each segment as an individual stand-alone display module for discs, such as CD's.

For these reasons, I believe that the Examiner is in error in saying that my invention is anticipated by the two cited references. I further believe that the claims, as now amended, clearly distinguish my CD holder over these references.

Signed at Toronto, Ontario, Canada, this 19 day of March, 2007.

Paul A. Reynolds

